IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5915 of 1987

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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Versus

STATE OF GUJARAT

Appearance:

MR Navin Pahwa for PM THAKKAR for the Petitioner.

Mr. L.R.Pujari, ASSTT. GOVERNMENT PLEADER for the Respondents.

MR.JUSTICE KUNDAN SINGH

Date of decision: 19/07/2002

ORAL JUDGEMENT

This petition has been filed for quashing and setting aside the revised final seniority list published by the respondent no. 2 vide his order dated 11.3.1987 only to the extent of assigning the seniority to the petitioner at serial no. 19 in place of serial

no. 10 and for quashing and setting aside the notification dated 26th June, 1987 whereby promotion was given to certain other persons who were junior to the petitioner and to give promotion to the post of Mamlatdar with effect from 25th June, 1987.

2. On 5th July, 2002 the learned Assistant Government Pleader had informed the court that the petitioner has already been promoted in the year 1989. The learned counsel for the petitioner sought two weeks' time to obtain instructions in that respect, but he was not able to obtain the instructions. It is also informed to the court that the petitioner has already retired in the year 1996.

3. The only grievance of the petitioner is that the petitioner should be placed at serial no.10 in place of serial no. 19 in the seniority list published vide order dated 11.3.1987. Now, it is not practicable to disturb the seniority list after 15 years. As it appears that the petitioner has already been promoted in the year 1989, nothing is required to be done in this petition. Accordingly, this petition has become infructuous. The petition is therefore, disposed of as having become infructuous with liberty to the petitioner to revive this petition in case of any difficulty. Rule is discharged with no order as to costs.

(Kundan Singh,J)

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